

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID DURHAM,
Plaintiff,

vs.

DETECTIVE JERRY NIFFENEGGER, *et al.*,
Defendants.

Case No. 1:18-cv-91
Hopkins, J.
Litkovitz, M.J.

ORDER

On December 6, 2023, the District Judge issued an Opinion and Order granting defendants' motion for summary judgment, and the Clerk entered judgment in their favor. (Docs. 184, 185). Plaintiff has appealed these entries. (*See* Docs. 189, 190). This matter is before the Court on defendants' Motion to Tax Costs (Doc. 186) and Motion for Attorney's Fees (Doc. 187). The parties have filed a Joint Memorandum of Understanding, docketed as a response, stating their agreement to stay these motions pending the disposition of plaintiff's appeal. (Doc. 191).

"[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Gray v. Bush*, 628 F.3d 779, 785 (6th Cir. 2010) (quoting *Landis v. North American Co.*, 299 U.S. 248, 254 (1936)). Consistent with this authority, the parties' agreement, and the interest of judicial economy, defendants' Motion to Tax Costs (Doc. 186) and Motion for Attorney's Fees (Doc. 187) are hereby **STAYED** pending the disposition of plaintiff's appeal. Within 30 days of the disposition of such appeal, plaintiffs shall respond to defendants' motions, if warranted.

IT IS SO ORDERED.

Date: 1/31/2024


Karen L. Litkovitz
United States Magistrate Judge